

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 17

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND OPPOSING AND REJECTING THE RECORD OF
DECISION AMENDMENT PROPOSED BY THE ENVIRONMENTAL PROTECTION AGENCY AND
HEREBY DEMANDS THAT OUR LOCAL, STATE, AND FEDERAL ELECTED OFFICIALS DO
ALL IN THEIR POWER IN ORDER TO ENSURE THAT THE ENVIRONMENTAL PROTECTION
AGENCY PRESENCE IN SHOSHONE COUNTY END AND THAT THE SUPERFUND DESIGNA-
TION BE RESCINDED WITHIN THE NEXT FIVE YEARS; AND REQUESTING THE RESOLU-
TION BE SENT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE
OF REPRESENTATIVES OF CONGRESS, AND THE CONGRESSIONAL DELEGATION REP-
RESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the United States Environmental Protection Agency (EPA) has,
for the past three decades, crippled industrial development in Shoshone
County through its "Superfund" designation, based upon highly questionable
scientific data; and

WHEREAS, this designation has resulted in the loss of thousands of well-
paying jobs in the natural resource sector, while only creating a signifi-
cantly lesser number of low-paying, seasonal jobs, which do not provide ben-
efits to employees; and

WHEREAS, the abatement of any alleged local environmental "pollution"
or "contamination" is neither necessary nor proper to effect the regulation
of interstate commerce and is, therefore, a power reserved to the state or
the people of the state of Idaho pursuant to the Tenth Amendment of the United
States Constitution; and

WHEREAS, by the EPA's own admission, blood lead testing of local resi-
dents has proven that any alleged human health hazard has been effectively
eliminated, to the extent that such a hazard ever existed; and

WHEREAS, the EPA is now proposing a plan in which it will perpetuate its
unconstitutional, economically paralyzing usurpation of state and local au-
thority for another fifty to ninety years at an estimated cost of one billion
three hundred million dollars.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-
sion of the Sixty-first Idaho Legislature, the House of Representatives and
the Senate concurring therein, that the Legislature of the state of Idaho ve-
hemently opposes and rejects the Record of Decision (ROD) amendment proposed
by the EPA, and hereby demands that our local, state, and federal elected
officials do all in their power in order to ensure that the EPA presence in
Shoshone County ends and that the Superfund designation be rescinded within
the next five years.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representa-
tives be, and she is hereby authorized and directed to forward a copy of this
Resolution to the President of the Senate and the Speaker of the House of Rep-

1 representatives of the United States Congress, and the congressional delega-
2 tion representing the State of Idaho in the Congress of the United States.